

EXHIBIT 1

In The Matter Of:
Bonnie George, et al. vs.
Omega Flex, Inc., et al.

Harri Kaarlo Kytomaa, Ph.D.
Vol. I
September 24, 2019
Video Deposition



**DORIS O. WONG
ASSOCIATES, INC.**
COURT REPORTERS

50 Franklin St., Boston, MA 02110
Phone (617) 426-2432

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10:37:40-10:38:28

Page 61

1 with pinhole also has variability in it, in the
2 sense that the conditions that result in
3 melt-through varied. If you look through Tests 12
4 to 15, that's what -- what that shows.

5 Q. But ultimately -- I mean, the document
6 speaks for itself -- the testing speaks for
7 itself -- that without a jacket, Gastite was able to
8 withstand 3.9 coulombs at a 10 x 1,000 waveform,
9 with more peak current than in Test Number 15 with a
10 jacket where it melted through at .17 coulombs.

11 MR. KURTZ: Objection.

12 Q. Correct?

13 MR. KURTZ: Asked and answered.

14 A. So -- so that is correct.

15 But recognize that the -- the -- I mean,
16 you're comparing two somewhat artificial conditions.
17 One is a -- Test 15 is Gastite with -- with a
18 pinhole -- and putting the pinhole onto the -- onto
19 the jacket actually will change its performance
20 electrically -- to a Gastite with a jacket removed.

21 But -- but I think that -- I agree that
22 the -- the tests in this report speak for
23 themselves. These are the results that they
24 obtained of the tests.

10:39:05-10:40:04

Page 62

1 MR. SCHUMACHER: Objection, nonresponsive
2 after "that is correct."

3 Q. All right. Let us go back to your report,
4 then.

5 Let's go back to Roman numeral xviii.

6 You have pointed out, under the "CSST
7 Background" -- I'm going to paraphrase here without
8 reading -- that CSST has certain advantages over
9 black iron pipe, flexibility being one, correct?

10 A. Yes.

11 Q. Which may mean that it is less susceptible
12 to damage during an earthquake, correct?

13 A. And -- and other situations, yes. Correct.

14 Q. All right.

15 In any of the nine plaintiffs' homes that
16 were inspected, did you observe any damage due to
17 earthquake or flooding?

18 A. [REDACTED]

21 But Missouri is susceptible to both
22 earthquakes and flooding.

23 Q. That wasn't my question.

24 I asked if you observed any evidence -- did

10:40:23-10:41:00

Page 63

1 you see any evidence of damage to the CSST in any of
2 the homes?

3 A. Based upon --

4 MR. KURTZ: Just object. That wasn't the
5 question. The witness answered the question.

6 A. [REDACTED]

9 But Missouri is susceptible to flooding and
10 earthquakes.

11 Q. All right.

12 Did you observe any evidence of damage to
13 the black iron pipe in any of the nine plaintiffs'
14 homes --

15 MR. KURTZ: Object to form.

16 Q. -- that you would associate earthquakes or
17 flooding?

18 A. [REDACTED]

22 [REDACTED] although Missouri is susceptible to
flooding and earthquakes.

23 Q. Did you observe any damage due to corrosion
24 of any of the black iron pipe in any of the nine

10:41:34-10:42:39

Page 64

1 plaintiffs' homes? Or church. I should add that.

2 A. [REDACTED]

6 Q. All right.

7 You would agree with me that CSST is more
8 susceptible to crushing damage than black iron pipe?

9 A. Yeah. I mean, I think that depends.

10 I mean, one would have to look at what the
11 circumstance is associated with the force that sort
12 of delivers the crushing, because significant forces
13 on CSST can be accommodated by simply the CSST
14 deflecting in some fashion, whether it is the
15 diameter itself deforming, but still containing the
16 gas, or simply the movement of the -- of the
17 flexible CSST.

18 That, in general, is not true for black
19 iron pipe. Black iron pipe, if subjected to
20 significant forces, can fail, and can fail
21 dramatically.

22 MR. SCHUMACHER: Objection, nonresponsive.

23 Q. What about nail strike damage? Which would
24 be more susceptible to nail strike damage, CSST or

10:53:25-10:54:09	Page 73	10:55:45-10:56:26	Page 75
<p>1 in close proximity to piping systems."</p> <p>2 Did I read that correctly?</p> <p>3 A. Yes.</p> <p>4 Q. "This can often result in an electrical</p> <p>5 flashover or arc between the adjacent</p> <p>6 systems."</p> <p>7 Did I read that correctly?</p> <p>8 A. You did.</p> <p>9 Q. Do you agree with that statement?</p> <p>10 A. I think that if a -- if a Gastite product,</p> <p>11 the yellow Gastite product were installed in</p> <p>12 accordance with the manufacturer's instructions,</p> <p>13 then -- then I would not agree with that statement.</p> <p>14 I think that the statement is a little</p> <p>15 bit -- let's say it's -- it's misleading because</p> <p>16 there are specific things that actually protect</p> <p>17 against this very line.</p> <p>18 And if you go, for example, six lines down</p> <p>19 to the paragraph that starts 0007, it's -- the line</p> <p>20 there is:</p> <p>21 "It usually takes a very large voltage</p> <p>22 differential to create a flashover through</p> <p>23 a good dielectric material."</p> <p>24 That's an example of why that would not</p>		<p>1 A. I want you to refresh my memory on -- on</p> <p>2 that particular investigation.</p> <p>3 Q. Let's talk about the Rushing investigation</p> <p>4 in Lubbock.</p> <p>5 That was yellow-jacket Gastite CSST,</p> <p>6 correct?</p> <p>7 A. Yes.</p> <p>8 Q. Installed in the Rushing home?</p> <p>9 A. That's correct.</p> <p>10 Q. And there was a direct bond to the CSST gas</p> <p>11 delivery system in the Rushing residence, correct?</p> <p>12 A. I've not reviewed the details of the</p> <p>13 Rushing case. It's been a while, as you know.</p> <p>14 I mean, that's -- it's possible. I'm not</p> <p>15 saying that it's not. I just don't remember that</p> <p>16 detail.</p> <p>17 Q. All right.</p> <p>18 Well, if -- you would agree with me that</p> <p>19 there was an arc perforation in the CSST in the</p> <p>20 Rushing residence, correct?</p> <p>21 A. Yes.</p> <p>22 Q. And if it was properly bonded and grounded</p> <p>23 with a direct bond in compliance with the Titeflex</p> <p>24 D&I guide, you would agree that would be one of</p>	
10:54:33-10:55:15	Page 74	10:56:51-10:57:33	Page 76
<p>1 happen. If -- if the voltage is not high enough,</p> <p>2 then the insulation will protect the CSST and a</p> <p>3 flashover will not occur.</p> <p>4 So there are many instances where I think</p> <p>5 this -- this sentence, or the sentence:</p> <p>6 "This can often result in an</p> <p>7 electrical flashover, or arc, between the</p> <p>8 adjacent systems" would not occur.</p> <p>9 Q. All right.</p> <p>10 Well, let's break that down, then.</p> <p>11 There are circumstances where if you have</p> <p>12 an energized metallic system in close proximity to</p> <p>13 even bonded and grounded Gastite you can still have</p> <p>14 a flashover between the two systems, correct?</p> <p>15 A. So my experience is that that would be very</p> <p>16 unlikely.</p> <p>17 Q. Not my question.</p> <p>18 My question was is it possible.</p> <p>19 A. Yes. Under extreme conditions, it -- it is</p> <p>20 possible.</p> <p>21 Q. And, in fact, you have investigated fires</p> <p>22 where you had a properly bonded and grounded CSST</p> <p>23 system where you still had a perforation and an</p> <p>24 arcing event, correct?</p>		<p>1 those circumstances where you can still have a</p> <p>2 perforation even though it is bonded and grounded?</p> <p>3 A. Yes.</p> <p>4 In specific circumstances where, for</p> <p>5 example, there is a direct attachment to a house by</p> <p>6 lightning, it is possible for that to occur.</p> <p>7 Q. Well, let's even break that down further.</p> <p>8 You would agree with me that if lightning</p> <p>9 attaches to a home, it's going to -- the current is</p> <p>10 going to follow basically any path to ground that it</p> <p>11 can follow, correct?</p> <p>12 A. It will follow multiple paths to ground,</p> <p>13 yes.</p> <p>14 Q. Let's -- let's go with that, multiple paths</p> <p>15 to ground. Okay.</p> <p>16 Generally speaking, lightning, or</p> <p>17 electrical current, will find the path of least</p> <p>18 resistance in an attempt to get to ground, correct?</p> <p>19 A. It will find -- lightning will find all</p> <p>20 paths of least resistance. It will -- it will go</p> <p>21 along multiple paths. Some of those paths will have</p> <p>22 higher resistance than others. And for those paths</p> <p>23 of higher resistance, the currents will be lower,</p> <p>24 but it will follow multiple paths.</p>	

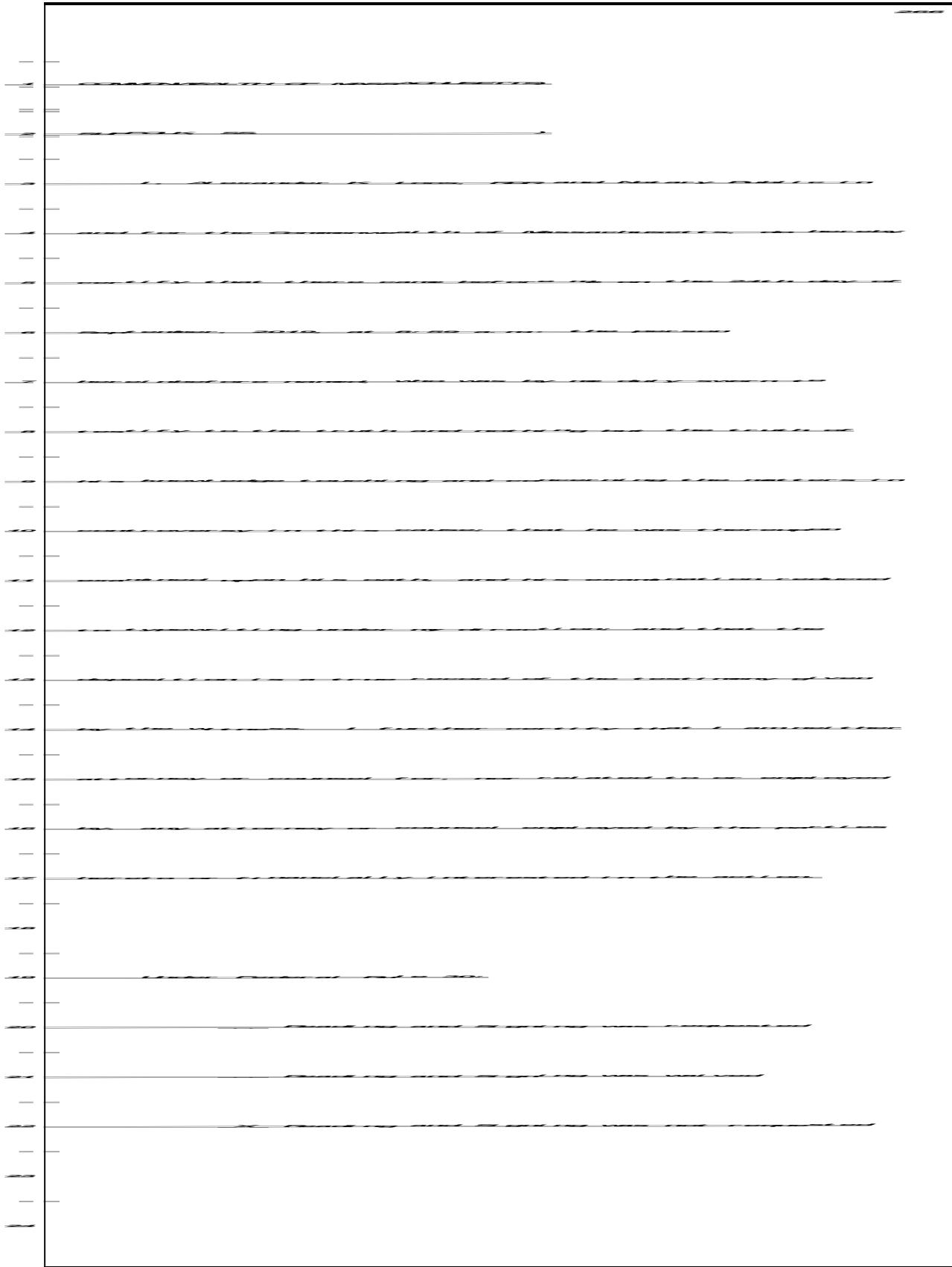
10:58:04-10:58:37	Page 77	11:00:47-11:01:33	Page 79
<p>1 Q. So I want to build a scenario here for you. 2 All right? 3 Let's say you have a metal flue chimney 4 pipe for a fireplace, okay? Start with that. 5 A. Okay. 6 Q. And there is -- that is installed in a 7 chimney chase. 8 Have you seen that sort of installation in 9 residences before? 10 A. I'm not sure what you mean by "that." What 11 is "that"? 12 Q. Well, "that" being a double-wall flue metal 13 pipe installed for a fireplace in a chimney chase. 14 A. Yes, I have. 15 Q. All right. 16 Now, I want you to imagine that a run of 17 CSST is installed within -- in contact with that 18 double-walled metal flue pipe. 19 Okay? 20 If the double-walled flue pipe becomes 21 energized from a lightning strike, is it a 22 possibility that it could still arc off to 23 yellow-jacketed CSST under the circumstance that I 24 just gave you?</p>		<p>1 aggressive, it can cause damage, including an arc to 2 the CSST. 3 Q. Which is ultimately the -- the -- one of 4 the issues in this case, which is the manufacturers 5 are indicating that bonding and grounding makes a 6 yellow-jacketed CSST system safe. 7 You would agree with me that proper bonding 8 and grounding pursuant to the D&I guide of any of 9 the manufacturers does not render that CSST system 10 safe from all lightning strikes, correct? 11 MR. KURTZ: Object to form. 12 A. No, I disagree with that representation. 13 I believe that for each of the products on 14 the market -- so the WardFlex, the TracPipe and the 15 Titeflex products -- if those are installed in 16 accordance with the manufacturers' instructions, 17 including their bonding requirement, bonding and 18 grounding requirement, these products are safe. 19 Q. I understand that's your opinion. 20 A. Yes. 21 Q. However, I just gave you a scenario where 22 you admitted that if the conditions are correct, 23 even though the yellow-jacketed CSST is still direct 24 bonded pursuant to the D&I guide, you could still</p>	
10:59:10-11:00:04	Page 78	11:01:59-11:02:34	Page 80
<p>1 MR. KURTZ: Object to form. 2 A. So it depends a great deal on exactly, you 3 know, what's connected to what. 4 But in that particular scenario, the 5 bonding, for example, would help in that scenario -- 6 if the flue pipe were attached directly to the flue 7 pipe -- and perhaps alleviate, or minimize, or 8 prevent the formation of an arc between the flue 9 pipe and CSST. But it is possible for an arc to 10 occur between the flue pipe and the CSST in that 11 scenario, that specific scenario. 12 Q. Okay. And even if the yellow-jacketed CSST 13 was properly bonded and grounded in that same 14 condition, could you still have an arcing event? 15 MR. KURTZ: Object to form, incomplete 16 hypothetical. 17 A. So in the scenario that you've painted, 18 the -- again, the -- exactly how the CSST performs 19 depends on -- on what it is connected to, where it 20 comes from and where it goes to. And -- and in that 21 particular scenario, actually, the bonding of the 22 CSST can minimize and reduce the -- let's say the 23 likelihood of an arcing event. But -- but if the 24 direct lightning event to the house is sufficiently</p>		<p>1 have an arcing event. 2 Where is that information being 3 disseminated to the public? 4 MR. KURTZ: Objection, misstates testimony. 5 A. I'm not sure I understand the question. 6 What do you mean by "where is that 7 information disseminated to the public?" I -- I 8 don't understand the relationship between the first 9 part of your question and the second part of your 10 question. 11 Q. All right. Well, then we'll break it down. 12 You've admitted under the hypothetical that 13 I gave you that there are conditions where you could 14 still have an arcing event between a -- a metallic 15 system and yellow-jacketed CSST, even though the 16 yellow-jacketed CSST was direct bonded pursuant to 17 the D&I guide, correct? 18 MR. KURTZ: Same objection. 19 A. I mean, I just want to be clear here 20 that -- that I think that we've moved away from 21 the -- the Rushing case, and so -- so I'll make the 22 assumption here that, you know, that -- well, it's 23 not clear to me exactly what the condition is that 24 you're asking me to think about, whether it is the</p>	

11:47:27-11:48:08	Page 105	11:49:58-11:51:01	Page 107
<p>1 formation.</p> <p>2 Q. But the representations by the CSST</p> <p>3 manufacturers is that bonded and grounded</p> <p>4 yellow-jacketed CSST is a safe product, correct?</p> <p>5 MR. KURTZ: Object to form.</p> <p>6 A. The -- so what I believe -- so two things:</p> <p>7 One is that, you know, exactly what the</p> <p>8 representations are by the industry I think speak</p> <p>9 for themselves. I believe that -- that a</p> <p>10 properly-installed yellow-jacketed product for each</p> <p>11 of the -- the three manufacturers in this matter is</p> <p>12 safe if installed in accordance with their</p> <p>13 instructions, and according to code.</p> <p>14 Q. But the information that there are</p> <p>15 situations where bonding and grounding will not be</p> <p>16 effective is not being disseminated to the public.</p> <p>17 Do you agree with that?</p> <p>18 A. No, I don't agree with that at all.</p> <p>19 I think that the GTI report is actually</p> <p>20 very clear in -- in talking about essentially all of</p> <p>21 the situations that are relevant to homes.</p> <p>22 Q. And the GTI report warns consumers that</p> <p>23 there are circumstances where the bonding and</p> <p>24 grounding in their home, of the CSST in their home,</p>		<p>1 that great care should be given to put the best,</p> <p>2 safest products out on the market?</p> <p>3 A. Yeah. I do believe that -- that care</p> <p>4 should be given when products are put out on the</p> <p>5 market.</p> <p>6 Q. Do you believe that consumers should be</p> <p>7 warned of all potential issues or problems with</p> <p>8 products?</p> <p>9 MR. KURTZ: Object to form.</p> <p>10 A. So product manufacturers have -- have</p> <p>11 certainly an obligation to minimize the risk</p> <p>12 associated with their products in light of the</p> <p>13 benefits that the products provide. They have an</p> <p>14 obligation to design, certainly, those risks that --</p> <p>15 that are significant, either by designing them --</p> <p>16 the risks out of the product, preventing --</p> <p>17 protective means, barriers, and other different</p> <p>18 kinds of protective means that one can -- can come</p> <p>19 up for consumer products. Or, in those situations</p> <p>20 where neither designing the product -- the risk out</p> <p>21 or the -- the provision of protections are</p> <p>22 available, the -- the product manufacturer should,</p> <p>23 and regularly do, provide warnings associated with</p> <p>24 what those risks are.</p>	
11:48:32-11:49:29	Page 106	11:51:40-11:52:32	Page 108
<p>1 will not be effective?</p> <p>2 MR. CASPER: Object to the form of the</p> <p>3 question.</p> <p>4 A. I'm not -- I'm not sure what you're</p> <p>5 referring to. I'll be happy to review that</p> <p>6 particular section of the report.</p> <p>7 Q. All right.</p> <p>8 Let's get back to Exhibit 8.</p> <p>9 And that second page -- all right. Let's</p> <p>10 go again down to that May 18th of 2007 John Hibner</p> <p>11 e-mail.</p> <p>12 A. Yes.</p> <p>13 Q. Back to the same paragraph.</p> <p>14 "Obviously, a lot of damage can be</p> <p>15 done as lightning speeds through a house to</p> <p>16 ground. But no other system seems to be as</p> <p>17 vulnerable as the CSST which becomes a" --</p> <p>18 quote, unquote -- "flame thrower' when</p> <p>19 lightning creates a pinhole from arcing</p> <p>20 from the CSST to other metal."</p> <p>21 Did I read that correctly?</p> <p>22 A. You did.</p> <p>23 Q. You agree that since CSST is transmitting</p> <p>24 gas, which is a flammable item, through a house,</p>		<p>1 Q. Are you aware of any warnings issued by the</p> <p>2 CSST manufacturers with regard to -- that reach</p> <p>3 consumers with regard to the effectiveness of</p> <p>4 bonding and grounding?</p> <p>5 A. The -- well, first of all, the -- really</p> <p>6 the documentation associated with, for example --</p> <p>7 and probably other things as well -- the GTI report</p> <p>8 is available to consumers. And then the --</p> <p>9 Q. If they go and find it?</p> <p>10 A. If -- that's right. If they -- if they</p> <p>11 look for it, it's available to them. It's in the</p> <p>12 public domain.</p> <p>13 Also, the -- the product is typically</p> <p>14 installed -- installed by professionals who, you</p> <p>15 know, have training in -- in the installation of</p> <p>16 these products, and they're the agents of the owners</p> <p>17 in -- in performing that function. And they're the</p> <p>18 ones who not only have the training but also are</p> <p>19 provided with the documentation associated with each</p> <p>20 of the distinct products from WardFlex, Titeflex,</p> <p>21 and -- and Omega Flex, both in the form of</p> <p>22 documentation, D&I guides, as well as warnings.</p> <p>23 Q. Does the -- the code -- local code</p> <p>24 person -- I'm going to call him the "AHJ," the</p>	

12:08:01-12:08:54	Page 121	12:10:49-12:11:35	Page 123
<p>1 protection for the house is an NFPA 780 system, LPS system.</p> <p>3 Now, there are many instances in which --</p> <p>4 in which a direct strike can strike a house, cause</p> <p>5 damage while the CSST system, properly installed</p> <p>6 CSST system, performs just fine. But I think that</p> <p>7 the -- it's a statement of fact that direct strikes</p> <p>8 to homes are very destructive and can cause a lot of</p> <p>9 damage completely irrespective of what mechanical</p> <p>10 equipment, mechanical services are in the home,</p> <p>11 whether there is running water in the home, whether</p> <p>12 there is electrical service to the home, and whether</p> <p>13 there is gas service to the home, or whether there's</p> <p>14 internet service to the home. So, you know, a</p> <p>15 direct strike to a home is potentially very</p> <p>16 destructive. And the way to protect against that,</p> <p>17 generally accepted, is a lightning protection system</p> <p>18 in accordance with NFPA 780.</p> <p>19 Q. But bonding and grounding, even in</p> <p>20 accordance with any of the manufacturers' D&I</p> <p>21 guides, is not always a means of protecting CS --</p> <p>22 yellow-jacketed CSST from direct strikes, correct?</p> <p>23 MR. KURTZ: Object to form.</p> <p>24 A. So bonding and grounding, in accordance</p>	<p>1 Certainly there are circumstances where a</p> <p>2 direct strike to a home will still result in damage</p> <p>3 to a properly bonded and grounded yellow-jacketed</p> <p>4 CSST system?</p> <p>5 MR. KURTZ: Object to form.</p> <p>6 MR. CASPER: Object.</p> <p>7 A. So we've -- we've talked about this</p> <p>8 already.</p> <p>9 So -- so, first of all, I think it depends</p> <p>10 greatly on which particular manufacturer you are</p> <p>11 talking about. And secondly, the direct lightning</p> <p>12 strikes that -- that potentially are harmful to</p> <p>13 properly installed Omega Flex CSST, as an example,</p> <p>14 are incredibly rare, and the probability of that</p> <p>15 system failing is minuscule.</p> <p>16 Q. We -- we talked about direct or indirect.</p> <p>17 A. Yes.</p> <p>18 Q. But there's a whole spectrum of charge</p> <p>19 associated with an indirect or a direct strike,</p> <p>20 correct?</p> <p>21 A. So in the -- there's two parts to your</p> <p>22 question, really, sort of the use of the words</p> <p>23 "direct" and "indirect," and then sort of the</p> <p>24 concept of "spectrum."</p>		
12:09:29-12:10:24	Page 122	12:11:59-12:12:44	Page 124
<p>1 with -- with the manufacturers' instructions, will</p> <p>2 protect, in most instances, the -- the CSST system</p> <p>3 in lightning events. Certainly in indirect or</p> <p>4 partial lightning events where not all the</p> <p>5 partial -- not the total energy of the lightning</p> <p>6 event is imparted to the gas system. But also,</p> <p>7 there are many circumstances in which, in the event</p> <p>8 of a direct lightning strike to a home, the CSST and</p> <p>9 the gas system itself may perform well.</p> <p>10 But it's important for me to emphasize</p> <p>11 that -- that in a direct lightning strike, which is</p> <p>12 sort of a high-risk proposition to the house, the --</p> <p>13 never is the gas system designed to protect the</p> <p>14 home. So, for example, if there's a direct strike</p> <p>15 to -- to the attic, and there's a gas system in the</p> <p>16 basement, there are many circumstances that I can</p> <p>17 see and, you know -- and never should one expect the</p> <p>18 gas system to somehow protect the home, you know.</p> <p>19 And it's -- I mean, it's silly to think that that</p> <p>20 would be the case.</p> <p>21 MR. SCHUMACHER: Objection, nonresponsive.</p> <p>22 Q. I'm merely talking about the bonding and</p> <p>23 grounding protecting the CSST itself from an arcing</p> <p>24 event and causing a fire.</p>	<p>1 So let me --</p> <p>2 Q. Then let's break it down, then.</p> <p>3 A. All right.</p> <p>4 Q. First of all, what is your definition of a</p> <p>5 "direct strike"?</p> <p>6 A. So a direct strike is a -- is a strike</p> <p>7 that -- that is -- that is -- imparts the full</p> <p>8 energy, or charge, of a lightning return stroke to a</p> <p>9 house. That can happen either by having a point</p> <p>10 attachment that is associated with a house -- for</p> <p>11 example, a -- a metal roof, or a metal roof</p> <p>12 penetration -- or something like a tree that is</p> <p>13 right next to the house that is, for example, let's</p> <p>14 say, three meters away from the home that is struck</p> <p>15 by the lightning and, because of the root</p> <p>16 configuration, for example, of the tree might impart</p> <p>17 all of its energy ultimately to the house.</p> <p>18 So -- so really what I mean by -- by a</p> <p>19 "direct strike" to a house is -- is a -- is a strike</p> <p>20 that -- that imparts all, or almost all, of its</p> <p>21 energy directly to the house.</p> <p>22 Q. Okay.</p> <p>23 A. What I mean by "indirect" is, conversely, a</p> <p>24 situation in which you have a lightning strike, and</p>		

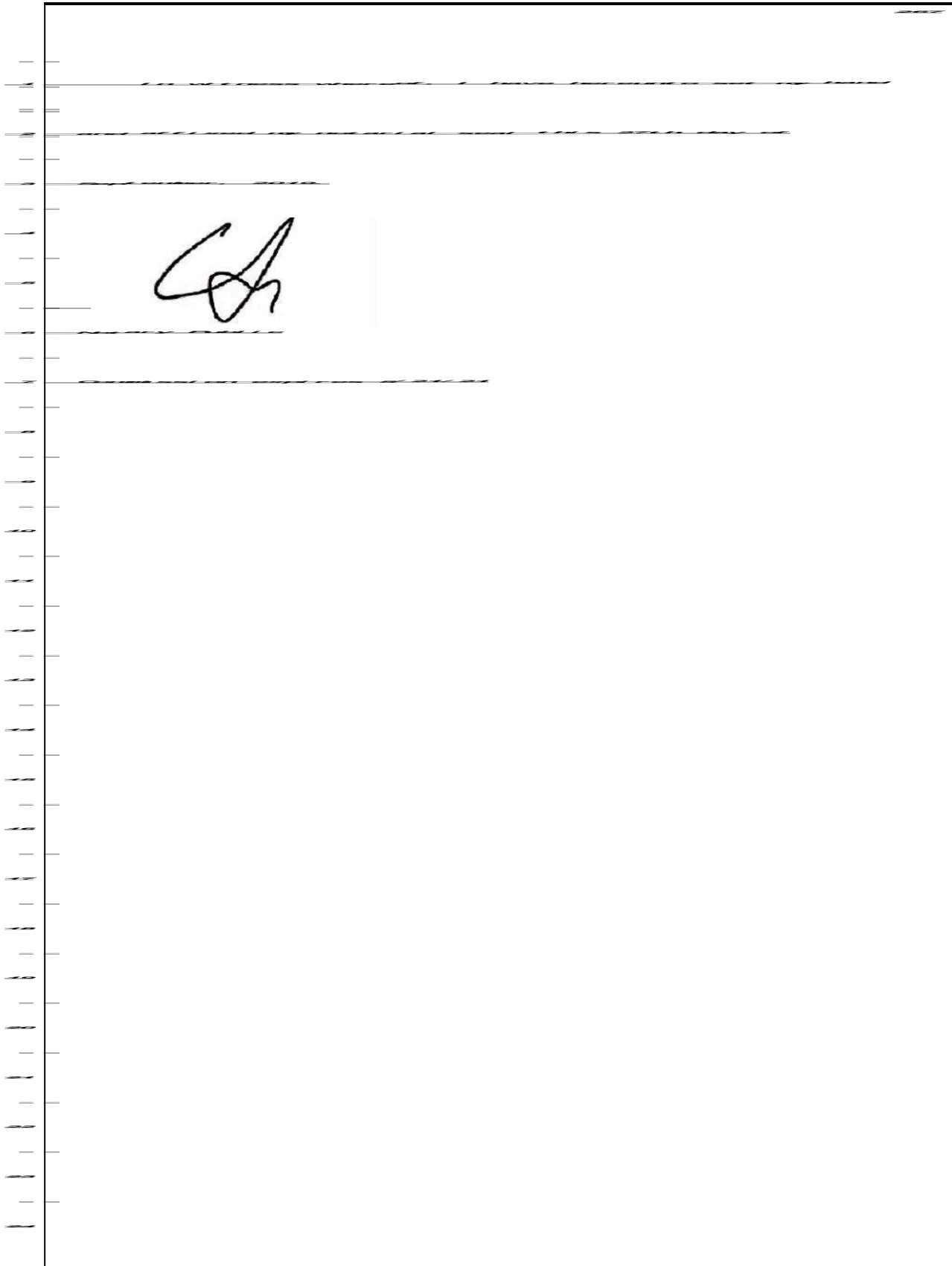
13:25:02-13:25:34	Page 149	13:27:43-13:31:43	Page 151
<p>1 CSST bonded and grounded is capable of withstanding 2 a specific number of coulombs. 3 Does such a number exist? 4 MR. KURTZ: Object to form. Asked and 5 answered. 6 A. I think in a specific house geometry, yes. 7 Q. But not across the board for every single 8 house? 9 MR. KURTZ: Same objection. 10 A. Every house is different, and so you would 11 have to perform the analysis and arrive at that 12 number for each house configuration. And you can do 13 that if you -- if you so choose. 14 Q. But you've come up with an opinion that 15 says that yellow-jacketed CSST is always safe when 16 properly bonded and grounded. 17 That's simply not true, is it? 18 MR. KURTZ: Object to form. 19 A. I -- I think it is. I mean, I think that 20 the yellow product is safe. Specifically, for 21 example, the Gastite yellow product is safe is -- if 22 installed in accordance with the manufacturer's 23 recommendations. 24 Q. In every circumstance? Every lightning</p>		<p>1 I would like you to turn to the third page 2 of Exhibit 14. 3 A. Third page. Yep. 4 Q. Specifically Paragraph 0004. 5 MR. KURTZ: Oh, geez. 6 THE WITNESS: What are you doing? 7 MR. KURTZ: Let's go off the record. 8 THE REPORTER: Off the record. 9 THE VIDEOGRAPHER: The time is now 1:27, 10 and we're off the record. 11 (Recess taken) 12 THE VIDEOGRAPHER: The time is now 1:31, 13 and we're back on the record. 14 BY MR. SCHUMACHER: 15 Q. All right. 16 Doctor, I've put before you Exhibit 17 Number 14. This is another US Patent and Trademark 18 Office application. This one is to Omega Flex. 19 Are you familiar with this document? 20 A. Yes, I think I've seen this document 21 before. 22 Q. All right. 23 I would like to go to the third page, 24 Paragraph 0004.</p>	
13:26:14-13:27:12	Page 150	13:32:01-13:32:39	Page 152
<p>1 strike? 2 A. Yes. I think it's -- it is safe. And as 3 long as it is -- it is installed in accordance with 4 manufacturers' recommendations. 5 Q. But you testified earlier that you've seen 6 situations where CSST, yellow CSST was properly 7 bonded and grounded and was still perforated by a 8 lightning strike. 9 MR. KURTZ: Object to form. 10 Q. Correct? 11 A. So my testimony earlier was that there 12 is -- there are circumstances that have a minuscule 13 probability and are incredibly rare in which a house 14 may be directly struck by lightning, and if the CSST 15 is not bonded, it may be possible for the CSST to be 16 perforated by the lightning insult. 17 MR. SCHUMACHER: I'm showing you now what I 18 have marked as Exhibit Number 14. 19 (Document marked as Kytomaa 20 Exhibit 14 for identification) 21 THE WITNESS: Thank you. 22 MR. SCHUMACHER: It's actually 15 in your 23 book. 24 Q. All right.</p>		<p>1 A. Yeah. 2 Q. "Another drawback to existing tubing is 3 that the tubing is often contained within a 4 jacket. Typically, the jacket is made from 5 an insulative material. In the event 6 that the piping is introduced to an 7 electrical charge (e.g. from direct or 8 indirect lightning), charge accumulates on 9 the jacket and can burn through the jacket 10 to the tubing resulting in a breach of the 11 tubing." 12 First, did I read that correctly? 13 A. You did. 14 Q. How is that statement any different than 15 what is contained in the Gastite Flashshield patent 16 application with regard to the effects of the 17 insulative material? 18 A. I mean, clearly this is a different 19 document, different statement. 20 Let me take just a couple of minutes, if I 21 may, to read this section that you're quoting from. 22 So this description really refers to tubing 23 that is a braided tubing. It talks about, if you 24 look at 0003, second line:</p>	

Harri Kaarlo Kytomaa, Ph.D. - Vol. I - September 24, 2019
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